

**ENTERED**

September 27, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

CALEB AARON CHAPMAN,

Plaintiff,

VS.

BEE COUNTY JAIL MEDICAL  
PROVIDER, *et al.*,

Defendants.

CIVIL ACTION NO. 2:22-CV-00117

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO RETAIN CASE AND DISMISS CERTAIN CLAIMS**

On August 23, 2022, United States Magistrate Judge Julie K. Hampton issued a “Memorandum and Recommendation to Retain Case and Dismiss Certain Claims” (M&R, D.E. 16). The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge’s M&R. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.


When no timely objection to a magistrate judge’s M&R is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s M&R. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Servs. Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge's M&R (D.E. 16), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the

Magistrate Judge. The Court **RETAINS** Plaintiff's Eighth Amendment claims seeking monetary relief against Family Nurse Practitioner Flynn and Nurse Joyce in their individual capacities.

The Court further **ORDERS** that: (1) Defendants Bee County Jail Medical Provider and Bee County Jail are **DISMISSED WITHOUT PREJUDICE**; (2) Plaintiff's claims against Defendants in their official capacities are **DISMISSED WITH PREJUDICE**; (3) Plaintiff's claims seeking injunctive relief against Defendants are **DISMISSED WITH PREJUDICE** as moot; and (4) Plaintiff's remaining claims against the remaining Defendants are **DISMISSED WITH PREJUDICE** as frivolous and/or for failure to state a claim pursuant to §§ 1915(e)(2)(B) and 1915A(b)(1).

ORDERED on September 27, 2022.

  
NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE